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Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-01 INR-07 L-03
NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 VO-03
SCA-01 PPT-01 IO-13 ACDA-07 /083 W
----------191324Z 094075 /53
R 181633Z JAN 77
FM USMISSION USBERLIN
TO AMEMBASSY BONN
INFO SECSTATE WASHDC 3838
AMEMBASSY BERLIN UNN
AMEMBASSY LONDON
AMEMBASSY MOSCOW
AMEMBASSY PARIS
USMISSION NATO

C O N F I D E N T I A L USBERLIN 0183

E.O.11652: GDS
TAGS: PFOR, PGOV, WB, GW, UR, GE
SUBJECT: ANSWER TO SOVIET PROTEST ON VISA REQUIREMENTS FOR EASTERN EUROPEANS

REFS: A) USBERLIN 170, B) BONN 941; C) USBERLIN 131

SUMMARY: CHAIRMAN (BRITISH) POLAD DELIVERED AGREED RESPONSE TO SOVIET PROTEST ON VISA REQUIREMENT FOR EASTERN EUROPEANS JANURAY 17 AT SAME TIME AS HE MADE PROTEST ON RECENT GDR INTERFERENCE WITH TRANSIT TRAFFIC. SOVIET EMBASSY COUNSELLOR KHOTULEV SAID HE FOUND RESPONSE UNSATISFACTORY AND THAT HE WOULD PROBABLY HAVE TO RETURN TO SUBJECT. HE APPEARED RELATIVELY SUBDUED AND RELAXED, HOWEVER, AND DID NOT RAISE ANY NEW SUBJECTS. WE ARE REPORTING EXCHANGE ON TRANSIT PROBLEM BY SEPTEL. END SUMMARY.

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1. FOLLOWING IS BRITISH POLAD'S REPORT ON DISCUSSION WITH KHOTULEV:
BEGIN TEXT: WHEN I HAD FINISHED READING OUT OUR REPLY ON THE VISA QUESTION, KHOTULEV SAID THAT THIS WAS ALL IRRELEVANT. OUR REPLY ADDED NOTHING TO THEIR KNOWLEDGE. HE FOUND IT UNSATISFACTORY AND HE WOULD PROBABLY HAVE TO RETURN TO THE SUBJECT.

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SPECIFICALLY, HE SAID THAT IF CERTAIN POLES
HAD INDEED ACCEPTED FRG VISAS, AS WE HINTED,
THIS WAS A MISTAKE. BUT IN ANY CASE, NO RUSSIAN
EVER HAD OR EVER WOULD ACCEPT A VISA FOR BERLIN
FROM THE FRG EMBASSY IN MOSCOW (IN REPLY TO MY
INNOCENT QUESTION, HE OR RATHER TYUTYUNOV CONFIRMED
THAT SOVIET CITIZENS WOULD IF NECESSARY BE PRE-
VENTED FROM DOING SO.) KHOTULEV CLAIMED THAT THE
GRANTING OF A VISA WAS AN ACT OF STATE SOVEREIGNTY
AND THUS DIRECTLY CONCERNED MATTERS OF STATUS
AND SECURITY WHICH HAD BEEN EXPLICITLY EXCLUDED
IN THE QA FROM THE GENERAL PROVISIONS WITH REGARD
TO THE REPRESENTATION ABROAD OF THE INTERESTS
OF THE WSB. HE REITERATED THAT HE WAS NOT SPEAKING
ON BEHALF OF MALEV AND CO., BUT WAS ONLY USING
THEIR CASES TO ILLUSTRATE HIS GENERAL COMPLAINT.

IN REPLY, I SAID THAT THE POLES IN QUESTION
WERE NOT BY ANY MEANS THE FIRST EAST EUROPEANS
WHO HAD ACCEPTED THE NEED TO OBTAIN FRG VISAS
BEFORE RESIDING IN BERLIN. EAST EUROPEANS HAD
BEEN DOING THIS EVER SINCE THE 1950S. FOR OUR
PART WE SAW NOTHING WRONG WITH THIS PROCEDURE:
INDEED WE HAD SPECIFICALLY AUTHORIZED IT. WE
REGARDED THE GIVING OUR OF VISAS AS A DAY TO DAY
MATTER OF PRACTICAL CONCERN AND HAD DELEGATED IT
TO THE FRG ALONG WITH THE GENERAL, THOUGH CIRCUMSCRIBED,
RESPONSIBILITY FOR REPRESENTING WEST BERLIN'S
INTERESTS ABROAD. I SAID IT WAS SURELY RELEVANT
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THAT THE GDR GOVERNMENT HAD BEEN ISSUING VISAS
TO FOREIGNERS TO ENTER EAST BERLIN FOR THE PAST
20 YEARS OR SO. WITH THEIR LATEST MEASURES IT
WAS NOW IMPOSSIBLE FOR FOREIGNERS TO ENTER EAST
BERLIN AT ALL WITHOUT FIRST OBTAINING A VISA.
AGAINST THIS, SOVIET AND EAST EUROPEAN CITIZENS
COULD NOT ONLY ENTER WEST BERLIN BUT COULD STAY
THERE A FULL 31 DAYS WITHOUT OBTAINING A VISA AT
ALL. I REMINDED KHOTULEV THAT BRITISH NATIONALS
WERE DIRECTLY AFFECTED BY THE GDR REGULATIONS.
I SAID THAT THE RUSSIANS WERE OF COURSE AT LIBERTY
TO RETURN TO THIS SUBJECT IN THE FUTURE BUT I
COULD PROMISE THEM NO OTHER REPLY IF THEY DID SO.
THIS WAS A VERY OLD PRACTICE AND WE REGARDED IT AS
A PART OF THE EXISTING SITUATION WHEN THE QA
WAS NEGOTIATED. IF THE SOVIET SIDE WERE SO ADVERSE
TO IT, WHY DID THEY NOT TAKE IT UP DURING THE QA
NEGOTIATIONS? TYUTYUNOV HAD MENTIONED (IN
DISCUSSION) THAT THE BUNDESTAG NO LONGER HELD

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MEETINGS IN BERLIN. THIS WAS A GOOD CASE IN POINT: THE QA WOULD NO DOUBT HAVE REGULATED THE VISA QUESTION TOO IF THE RUSSIAN CASE HAD BEEN STRONG. AS IT WAS, I SAID WE WOULD GO ON AS BEFORE.

APART FROM GRUMBLING THAT OUR VIEW OF THE QA - NAMELY THAT WHAT IT DID NOT SPECIFICALLY FORBID WAS ALLOWED - WAS A DANGEROUS ONE, KHOTULEV NEITHER SPECIFICALLY REBUTTED ANY OF MY POINTS NOR ADDED ANY FRESH ONES OF HIS OWN. HE SHOWED NO DISPOSITION TO ARGUE THE TOSS OVER GDR VISAS FOR VISITORS TO EAST BERLIN. HOWEVER, HE RESERVED HIS RIGHT TO RETURN TO THE GENERAL QUESTION LATER.

COMMENT: KHOTULEV HAS JUST RETURNED TO WORK AFTER A SUDDEN APPENDIX OPERATION ON 3 JANUARY.
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HE APPEARED SURPRISINGLY FIT, BUT THE OPERATION MIGHT GO SOME WAY TO EXPLAINING HIS VERY RELAXED MANNER IN DEALING WITH OUR POINTS AND HIS FAILURE - FOR THE FIRST TIME IN MY EXPERIENCE - TO RAISE ANY FRESH COMPLAINTS ABOUT ALLIED BEHAVIOR IN RETURN. THE FORTHCOMING BARRAGE OF FEDERAL VISITORS TO THE CITY WOULD HAVE GIVEN HIM PLENTY OF OPPORTUNITY TO DO SO. MAYBE HE WAS LEAVING IT TO ABRASIMOV TO TAKE A FIRM LINE WITH SIR OLIVER WRIGHT WHEN THEY MEET ON 19 JANUARY. WE SHALL SEE. END TEXT.

2. TEXT STATEMENT MADE BY CHAIRMAN POLAD WAS IDENTICAL WITH THAT CONTAINED REF A. EDITORIAL SUGGESTIONS CONTAINED REF B WERE RECEIVED AFTER POLAD HAD SEEN KHOTULEV. AS INDICATED REF A, WE HAD CONCURRED IN TEXT AND BRITISH MISSION FELT IT HAD DISCRETION TO APPROVE TEXT WITHOUT REFERENCE TO BRITISH EMBASSY. CHAIRMAN POLAD ACCORDINGLY WENT AHEAD WHEN FRENCH MSISSION CONCURRENCE WAS RECEIVED JANUARY 17. DAVIS

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
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Control Number: n/a
Copy: SINGLE
Sent Date: 18-Jan-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
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Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
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Reference: 77 USBERLIN 170, 77 BONN 941, 77 USBERLIN 131
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